

STATE OF ILLINOIS  
92ND GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

105th Legislative Day

May 29, 2002

PRESIDENT PHILIP:

The regular Session of the 92nd General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Senator Geo-Karis. Senator Geo-Karis.

SENATOR GEO-KARIS:

(Prayer by Senator Geo-Karis)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Radogno.

SENATOR RADOGNO:

(Pledge of Allegiance, led by Senator Radogno)

PRESIDENT PHILIP:

Reading of the Journal.

SECRETARY HARRY:

Senate Journal of Monday, May the 27th, 2002.

PRESIDENT PHILIP:

Senator Wendell Jones.

SENATOR W. JONES:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or corrections to offer.

PRESIDENT PHILIP:

Senator Jones moves to approve the Journal just read. There being no objection, so ordered. Senator Wendell Jones.

SENATOR W. JONES:

...President -- Mr. President, I move that reading and approval of the Journal of Tuesday, May 28th, in the year 2002, be postponed, pending arrival of the printed Journal.

PRESIDENT PHILIP:

Senator Jones moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript.

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There being no objection, so ordered. Illinois -- Information Service has asked -- request to film the proceedings. Is leave granted? Seeing no objections, leave is granted.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Members will turn to the top of page 22, in the Order of Secretary's Desk, Concurrence on Senate Bills. Top of page 22, in the Order of -- Secretary's Desk, Concurrence, Senate Bills, is Senate Bill 1282. Mr. Secretary, read the motion, please. Out of the record. Senate Bill 1545. Senator Mahar? Mr. Secretary, read the motion.

SECRETARY HARRY:

...move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1545.

The motion filed by Senator Mahar.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President. This bill originally clarified that the local fire department or the State -- or the Office of the State Fire Marshal may conduct fire safety checks in public schools. The House added Amendment No. 1 which said that the notification for the scheduled date of the inspection be to the -- be done to the principal of the building. It also added that no -- no more than two routine inspections be done in a calendar year. I know of no opposition.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1545. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none -- none voting Present. And the Senate

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does concur in House Amendment No. 1 to Senate Bill 1545, and the bill, having received the required constitutional majority, is hereby declared passed. In the middle of page 23, in the -- in the Order of Secretary's Desk, Concurrence on Senate Bills, is Senate Bill 2017. Oh, I beg your pardon. In the middle of page 22 is Senate Bill 1690. Senator Burzynski. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their amendment, Amendment No. 1, to Senate Bill 1690.

The motion, by Senator Burzynski.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. This bill has been amended now to -- for agreement and also to clarify and make a technical clarification from the amendment we passed over.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1690. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 56 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1690, and the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 1808. Senator Noland. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendment No. 1 to Senate Bill 1808.

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The motion, by Senator Noland.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Thank you, Mr. President. Originally this bill applied to all school property. Now it applies only to public school property.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendment -- I beg your pardon. Senator Welch. Pat Welch.

SENATOR WELCH:

Well, I had a question of the sponsor. I don't understand what the bill does.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Sponsor indicates he will yield. Senator Welch. Senator Welch.

SENATOR WELCH:

Senator, you said this now applies to public school zones, but not about private. What does it do to them?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Noland.

SENATOR NOLAND:

Senator Welch, this bill came about from the Champaign County State's Attorney, issues about being able to cite students for speeding and -- and violating the Vehicle Code on school property. When we originally presented the bill, Senator Hawkinson raised a question about applying to parochial schools. He's concerned about his grandmother running -- he was concerned about private, parochial schools, and so my intent really was public schools. And so I -- we had the House take the -- amend it just to apply to public schools only.

PRESIDING OFFICER: (SENATOR DUDYCZ)

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Senator Welch.

SENATOR WELCH:

Is Senator Hawkinson satisfied now?

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, the question is, shall the Senate concur in House Amendment No. 1 to Senate Bill 1808. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendment No. 1 to Senate Bill 1808, and the bill, having received all -- the required constitutional majority, is hereby declared passed. Top of page 23, in the Order of Secretary's Desk, Concurrence on Senate Bill, is Senate Bill 1975. Senator Karpiel. Mr. Secretary, read the motion.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 1975.

The motion, by Senator Karpiel.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Karpiel.

SENATOR KARPIEL:

Thank you, Mr. President. House Amendments 1 and 2 are fairly technical, just clean-up amendments. The first one changes the name of the Day Labor (Services) Act to Day and Temporary Labor Services Act. That was a -- a promise that we made here in the Senate when we passed the bill out of the Senate, that we would take care of that in the House. House Amendment 2, amends -- it provides that two or more investigatory hearings on the issue of establishing a new prevailing wage classification shall be consolidated into a single hearing before the Department. This is current practice, and this simply adds it to the statute. It also

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makes it easier for the Department of Labor to examine employment records for contractors and subcontractors that maintains its principal place of business outside of the State. There's no known opposition to the bill. I do want to thank Senator del Valle. This was his bill originally. The entire concept was his, and it has become model legislation for the federal government. They're -- they've been here interviewing, I believe, Senator -- del Valle, and the Department of Labor. And they're thinking of passing it on the federal level, and I ask your Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 1975. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 1975, and the bill, having received the required constitutional majority, is hereby declared passed. House -- Senate Bill 2017. Senator Sieben. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2017.

The motion, by Senator Sieben.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sieben.

SENATOR SIEBEN:

Thank you very much, Mr. President. This legislation deals with the Master Settlement Agreement for the Tobacco Master Settlement Agreement and relates to the Escrow Enforcement Act.

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It's an initiative of the Attorney General's Office. The -- I move to concur with House Amendment 1 and 2, which are essentially some drafting clarification done by LRB in conjunction with the House staff. They represent, I think, improvements to the Senate language. They are non-substantive and I know of no opposition to the language change. Therefore, I move that we concur with Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 2017. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 2017, and the bill, having received the required constitutional majority, is hereby declared passed. Senate Bill 2024. Mr. Secretary, read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1 and 2 to Senate Bill 2024.

The motion, by Senator Dillard.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Dillard.

SENATOR DILLARD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I would move that we concur in the House amendments. What this legislation does - and it's important - was shown recently in the solving of the murders in the Brown's Fried Chicken, in Palatine, Illinois, and it showed us the importance of what a DNA database can do in picking up and prosecuting crime. This bill would force convicted felons to turn over a DNA data sample to the Illinois

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State Police. And this is sound public policy. It's sound policy because, in the end, we're going to solve a lot of cases that we would never solve, and it will also save hundreds of man- and women-hours in the investigation of crimes, so it saves money. You can see, again, the need for this legislation, I think, from the Brown's Fried Chicken cases. We've copied this off of the State of Virginia, which has a similar law, and in Virginia, they solved hundreds of cold and unsolved rapes and murders with the extra genetic information on file. And the most important thing about the Virginia experience is that eighty percent of the defendants caught as a result of the DNA database were nonviolent felons - drug users or thieves - who graduated to more serious offenses. So, I think now that science and technology have caught up and this is a good way to not only protect the innocent who may be in jail, as we've found that DNA can exonerate people, most importantly it will allow us to solve a lot of crimes that we would not solve without it. And I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall the Senate concur in House Amendments No. 1 and 2 to Senate Bill 2024. All those in favor will vote Aye. Opposed will vote Nay. The voting's open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments No. 1 and 2 to Senate Bill 2024, and the bill, having received the required constitutional majority, is hereby declared passed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Sullivan, on Senate Bill 2081. Senator Rauschenberger, on Senate Bill 2235. Read the bill, Mr. Secretary.

SECRETARY HARRY:



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I move to concur with the House in the adoption of their Amendments 1, 2 and 3 to Senate Bill 2235.

The motion, by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. {sic} President, Ladies and Gentlemen of the Senate. House Amendments 1, 2 and 3 are the agreed amendments to the John Maitland LIHEAP bill which renews that program, restates its -- its premise, renews the taxes. It's been extensively worked. It's agreed to by both the industry and all of the -- the parties that are -- were involved with it. I'd appreciate support of these very fine House amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, this is final action, and the question is, shall the Senate concur in House Amendments 1, 2 and 3 to Senate Bill 2235. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. Senate -- the Senate does concur in House Amendments 1, 2 and 3 to Senate Bill 2235, and having received the required constitutional majority, is declared passed. ...could have your attention, we're going to go to the top of page 24 to Secretary's Desk, Non-concurrence. Senator Radogno, on House Bill 1975. Senator Radogno?

SENATOR RADOGNO:

Thank you, Madam President. I move that the Senate refuse to recede from Senate Amendments 1, 2, 3 and 4 on House Bill 1975.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, Senator Radogno moves that the Senate refuse to recede from

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the adoptions of Senate Amendments 1, 2, 3 and 4 to House Bill 1975 and that a conference committee be -- appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the motion carries, and the Secretary shall so inform the House. Senator Syverson, on House Bill 4975. Mr. Secretary.

SECRETARY HARRY:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 4975 and request that a conference committee be appointed.

That motion, by Senator Syverson.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Syverson.

SENATOR SYVERSON:

Thank you, Madam President. I think we're going to make a motion to refuse to recede on this. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Seeing none, Senator Syverson moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 4975 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The motion carries, and the Secretary shall so inform the House. Senator Radogno, on House Bill 5874. Mr. Secretary.

SECRETARY HARRY:

I move to refuse to recede from Senate Amendment No. 1 to House Bill 5874 and request that a conference committee be appointed.

The motion, by Senator Radogno.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Radogno.

SENATOR RADOGNO:

Thank you, Madam President. I move that the Senate refuse to

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recede from Senate Amendment 1 on House Bill 5874, and that a conference committee be appointed.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Seeing none, Senator Radogno moves that the Senate refuse to recede from the adoption of Senate Amendment No. 1 to House Bill 5874 and that a conference committee be appointed. All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the motion carries, and the Secretary shall so inform the House. Senator Syverson, on House Bill 5965. Robert Jordan of WGN News wishes to tape proceedings. Is leave granted? Leave is granted. Committee Reports.

SECRETARY HARRY:

Senator Weaver, Chair of the Committee on Rules, reports the following Legislative Measures assigned: Referred to the Committee on Executive - Senate Amendment 1 to Senate Resolution 410 and the Motion to Concur with House Amendments 1 and 3 to Senate Bill 1982; to the Committee on Judiciary - Senate Amendment 2 to House Bill 3717; and Be Approved for Consideration - Senate Amendment 3 to House Bill 1215 and Amendment 2 to House Bill 822.

PRESIDING OFFICER: (SENATOR DONAHUE)

If I could have the Body's attention, we'll give you some direction on where we're going. Senator Parker, for what purpose do you rise?

SENATOR PARKER:

For purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your announcement.

SENATOR PARKER:

There will be a Senate Transportation Committee meeting in Room 400. Note the room change, 400, at 2:30.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hawkinson, for what purpose do you rise?

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SENATOR HAWKINSON:

Thank you, Madam President. Purposes of an announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please state your point.

SENATOR HAWKINSON:

There will be a Judiciary Committee meeting in Room 400 at 3 o'clock. 3 o'clock in Room 400.

PRESIDING OFFICER: (SENATOR DONAHUE)

And, Senator Klemm, for what purpose do you rise?

SENATOR KLEMM:

For an announcement, Madam -- or, President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR KLEMM:

Executive Committee will meet at 3:30 in 212. Executive at 3:30 in 212. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Cronin, for what purpose do you rise?

SENATOR CRONIN:

An announcement.

PRESIDING OFFICER: (SENATOR DONAHUE)

Please proceed.

SENATOR CRONIN:

The Senate Education Committee shall meet at the time -- the time that you go to see the dentist, at tooth hurty, in Room 212.

PRESIDING OFFICER: (SENATOR DONAHUE)

I would also remind the Members for just a minute to stay on the Floor. We could have -- just stay on the Floor for just a minute, please. Senator Demuzio, for what purpose do you seek recognition?

SENATOR DEMUZIO:

Madam Secretary, let the record reflect Senator Clayborne is

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still absent due to illness.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator Demuzio. The record will so reflect.  
Senator Jones.

SENATOR E. JONES:

Yeah. Thank you, Madam President. We have, in the gallery here, students from the Wacker Elementary School located at Ninety-seventh and Morgan in my district. They are down here visiting Springfield, and trust that we will do the right thing on the budget and give them enough money so they can have a great program. Let's welcome the students from Wacker Elementary School.

PRESIDING OFFICER: (SENATOR DONAHUE)

Will you please rise and be recognized? Welcome to Springfield. All right. If I could have the Body's attention, I would call on Senator Doris Karpriel.

SENATOR KARPIEL:

Thank you, Madam President. I'm announcing a Republican Caucus immediately, in Senator Philip's Office.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator. And for the edification of the Body, the committees will commence, first beginning at 2:30, and we will reconvene then at 4 o'clock here on the Senate Floor. Senator Smith, for what purpose do you seek recognition?

SENATOR SMITH:

Yes, Madam Chairman, I'd like to announce that the Democrats will meet in the President's Office, immediately. Right away.

PRESIDING OFFICER: (SENATOR DONAHUE)

...will reconvene at 4 p.m.

(SENATE STANDS IN RECESS/SENATE RECONVENES)

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PRESIDING OFFICER: (SENATOR DONAHUE)

Senate will reconvene. All those -- please return to the Senate Floor, as quickly as possible. Committee Reports.

SECRETARY HARRY:

Senator Parker, Chair of the Committee on Transportation, reports Senate Bill 1880 - the Motion to Concur with House Amendment 1 Be Adopted, and Senate Bill 1907 - the Motion to Concur with House Amendments 1 and 2 Be Adopted.

Senator Cronin, Chair of the Committee on Education, reports Senate Bill 1930 - the Motion to Concur with House Amendment 1 Be Approved for Consideration.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Bill 1936 - the Motion to Concur with House Amendments 1 and 2 Be Approved for Consideration, and Senate Bill 2155 - the Motion to Concur with House Amendments 1 and 4 Be Approved for Consideration.

And Senator Klemm, Chair of the Committee on Executive, reports Senate Bill 1982 - the Motion to Concur with House Amendments 1 and 3 Be Approved for Consideration and Senate Amendment 1 to Senate Resolution 410 Be Adopted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages from the House.

SECRETARY HARRY:

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 1657, with House Amendments 1 and 2.

We have like Messages on Senate Bill 1697, with House Amendments 1 and 2; Senate Bill 1917, with House Amendment 1; Senate Bill 1949, with House Amendment 2; and Senate Bill 2164, with House Amendment 1.

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All passed the House, as amended, May 29th 2002.

PRESIDING OFFICER: (SENATOR DONAHUE)

Resolutions.

SECRETARY HARRY:

Senate Resolution 447, offered by Senator Noland and all Members.

It's a death resolution, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

Consent Calendar. If I could have the Body's attention, we are going to begin at the bottom of page 8. House Bills 3rd Reading. Order of Recall. Senator Dillard seeks leave of the Body to return House Bill 1215 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1215. Mr. Secretary. Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. We need to table Floor Amendment No. 2 so that a technical amendment, which is No. 3, will be proper. So, if I could, I'd like to table Floor Amendment No. 2.

PRESIDING OFFICER: (SENATOR DONAHUE)

Hearing no objection, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is tabled. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you again, Madam President. Floor Amendment No. 3 is identical to the one I just tabled, except one word is deleted, the word "employee". And it is technical only, the change here, and we can debate this bill on 3rd Reading. And I'd appreciate a

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favorable adoption vote on Floor Amendment No. 3.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Hearing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor amendments approved?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Now we go to the middle -- on the Order of Recall. Okay. So we go to Senator Dillard on page 11, middle of page 11, with House Bill 5240. Senator Dillard seeks leave of the Body to return House Bill -- or, 5240 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 2nd Reading is House Bill 5240. Mr. Secretary, have you any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This first Floor amendment corrects an oversight from a law we passed dealing with grade crossing violations by pedestrians. It corrects a law we passed about a year ago, and this makes the pedestrian portion identical to that of a motor vehicle. And then, also, the DuPage County Railroad Safety Task Force, which is really the -- one of the preeminent railroad safety task forces, came forth with a report, in conjunction with a number of judges throughout the Metropolitan Chicago area, and they wanted the flexibility -- instead of absolutely having to do a two-hundred-and-fifty-dollar mandatory



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fine for a first violator of somebody that crosses a downed electronic railroad crossing, they wanted the flexibility to order twenty-five hours of community service and that is in this amendment, as well. We'll debate the bill on 3rd Reading, and I'd appreciate the adoption of this.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? All those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor amendments approved?

SECRETARY HARRY:

Amendment No. 3, by Senator Dillard.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard, on Amendment No. 3.

SENATOR DILLARD:

Thank you, Madam President. This is a amendment that was directed right out to the Floor by the Rules Committee. It's technical and it absolutely removes any reference to a cop-in-the-box or photographic system in this bill for detecting people who go across railroad crossings. And I'd move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Further down the page on House Bill 5450. Senator Dillard seeks leave of the Body to return House Bill 5450 to the Order of 2nd Reading for the purposes of an amendment. Hearing no objection, leave is granted. Now on the Order of 3rd -- 2nd Reading is House Bill 5450. Mr. Secretary, have there been

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any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 1, offered by Senators Emil Jones and Larry Walsh.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jones, on Amendment No. 1.

SENATOR E. JONES:

Yeah. Thank you, Madam President. This amendment is something everyone's been waiting on. What it does is changes the dates that's in the current statute to reflect the new -- 2000 Census and sets -- which sets forth the term limits for the Members. And the Members have been waiting on this, so I move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there -- any discussion? Is there any discussion? Seeing none, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Are there further Floor amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. We will go back to page 8, on the Order of House Bills 3rd Reading. House Bill 1215. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1215.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President, Ladies and Gentlemen of the

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Senate. This bill amends various public library Acts to require that our public libraries which allow minors to use a public-access computer, to either equip the computer with software that seeks to prevent minors from gaining access to explicit sexual materials or to obtain an Internet connectivity from an Internet service provider that provides filter services to limit access to explicit sexual materials. It still allows adults to have unbridled access to the Internet. But recently, over the weekend in Chicago, there were two thousand five hundred people that marched on a public library in the City. And I think parents and guardians throughout Illinois sometimes believe that the Internet connectivity that their children go and use in a public library is somehow filtered, and it's not. And there have been cases cited by a variety of ministers from throughout Illinois, including the City of Chicago, where children have been looking at pornography in public libraries in the State of Illinois. A number of states have now gone to filtering systems, including big ones around us, like Michigan and Minnesota, Pennsylvania, states similar to Illinois. And one in five states now have a law dealing with the filtering of the Internet for minors. I think it's a good idea. I think a lot of parents are shocked that our public libraries would allow their seven-year-old to have unbridled access to pornography without any filtering. I'd be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Is there any discussion? Seeing none, the question is, shall House Bill 1215 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 47 Ayes, 10 Nays, none voting Present. House Bill 1215, having received the required constitutional majority, is declared passed. You'll turn

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the page, middle of page 10 is House Bill 4353. Senator Roskam.  
Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 4353.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Roskam.

SENATOR ROSKAM:

Thank you, Madam President, Ladies and Gentlemen of the Senate. House Bill 4353 is fairly simple. What it does is it addresses a problem that has to do with the fraudulent installation of air bags. Right now, there's some unscrupulous repair facilities that are not honorably repairing air bags when they've been deployed, and the problem is, you never find out about it until it's too late. So what we're trying to do is to create a penalty. Creates an offense and it prohibits a person from knowingly installing or reinstalling in a vehicle any object in lieu of an air bag that was designed in accordance with federal safety regulations for the make, model and year of the vehicle as part of the vehicle inflatable -- restraint system. At the -- Chairman Hawkinson's recommendation, we amended this bill to make sure that -- we -- we took out if, you're know, you're the buddy and you're helping your pal and you don't do it for consideration and so forth. You've got to knowingly install this fraudulently. It passed unanimously. I'll be happy to answer any questions.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, all those in -- the question is, shall House Bill 4353 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no

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Nays, none voting Present. House Bill 4353, having received the required constitutional majority, is declared passed. On the middle of page 11 is House Bill 5240. Senator Dillard. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5240.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. As I briefly explained on 2nd Reading, or on the recall, this bill makes consistent fines for pedestrians who cross railroad crossings in violation of our statute the same as it is for a motorist. It makes it consistent and it was an oversight from a bill about a year ago. It also incorporates the recommendation of a number of judges from a variety of counties in northeastern Illinois and the DuPage County Railroad Safety Task Force that the first offense, which is a mandatory two-hundred-and-fifty-dollar fine, the court could, if they want to, impose twenty-five hours of community service instead. Those are the two changes that are in here. I think they're noncontroversial, and this law has worked very well. And every now and then we need to refine the statutes with the recommendation of our judges and our experts and that's what this does. I'd appreciate a favorable vote.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none, the question is, shall House Bill 5240 pass. Those in favor will vote Aye. Opposed, Nay. And the voting's open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none

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voting Present. House Bill 5240, having received the required constitutional majority, is declared passed. Senator Dillard, on House Bill 5450. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5450.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Dillard.

SENATOR DILLARD:

Thank you, Madam President. This is really Senator Jones' -- Emil Jones' bill, and it sets up the mechanism by which we get our terms assigned, either the four-four-two or the two-four-four or whatever the heck we are. And hopefully Senator Jones will make sure I get a four-four-two for tacking his amendment on my bill. I'd appreciate a favorable roll call.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there discussion? Is there discussion? Seeing none -- excuse me, Senator Jones.

SENATOR E. JONES:

To my good friend, Senator Dillard, I already have your number in my pocket.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 5450 pass. Those in favor will vote Aye. Opposed, vote Nay. The voting's open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. House Bill 5450, having received the required constitutional majority, is declared passed. Senator Watson, on House Bill 5567. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5567.

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(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Watson.

SENATOR WATSON:

Yes, thank you very much, Madam President. House Bill 5567, as it's amended, mandates that the Department of Public Aid move to a new reimbursement methodology for the nursing home component of the nursing home rate by July 1st of 2003. Now, the Department is currently working with the profession to develop this system. And the intent of this legislation is actually threefold: to provide a two-year hold harmless until June 30th of 2005 for those facilities that would experience rate decreases under the new system; to ensure that the deletion of the automatic annual increase language does not preclude nursing homes from -- from receiving such increases - rather, the funds previously used for the annual adjustments would be used to increase rates using the new methodology; and finally, to give the Department discretion in the event of the reduction in funding by the General Assembly to decrease the rates of those facilities held harmless under the -- under the law. As you know, the nursing home industry in this State has experienced a -- a real problem, primarily financially, and this is a means by which to try to create a new process by which rates would be established. In fact, all the nursing home industry associations support this. The Department of Public Aid supports this. There's no opposition. So I would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Donahue.

SENATOR DONAHUE:

Thank you very much, Mr. President. I just rise in very strong support of this legislation. We have a situation and --

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and it's really not just Chicago homes versus downstate. There are homes in the City of Chicago that are hurting, too, and this MDS system is critical to how we reimburse our nursing homes for the cost that it -- it costs them to provide the service that we're asking them to provide. I just think this is really critical. It doesn't go into effect really until, I think, 2003, we -- and -- to get it up and running. So it's not something that affects us now, although I wish it could. But this is very important legislation; I would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I also rise in strong support of this legislation and I wanted to commend Senator Watson on his bipartisan approach to passing this very important legislation. And I -- I wish that Senator Rauschenberger would take a lesson from Senator Watson and his approach and the budget bills and the revenue bills will be treated in the same bipartisan fashion so we can live up to those words that we say when we want bipartisan cooperation. I -- urge an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Watson, to close. The question is, shall House Bill 5567 pass. I beg your pardon. Further discussion? Senator Philip.

SENATOR PHILIP:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. The last information that I had, there were thirty-three downstate nursing homes who on -- on the watch list that are in very bad financial condition. There were eighteen nursing homes that went belly-up downstate. The average nursing home in the City of Chicago makes fifty dollars per patient per day. The nurse-patient ratio in downstate is twice as it is in the City of



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Chicago. It's long overdue. We ought to do this.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any further discussion? If not, the question is, shall House Bill 5567 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 5567, having received the required constitutional majority, is hereby declared passed. With leave of the Body, we will return to the middle of page 10 in the Order of House Bills 3rd Reading. House Bill 4453. Senator Donahue, do you wish this bill returned to 2nd Reading for the purposes of an amendment? Senator Donahue seeks leave of the Body to return House Bill 4453 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 4453. Mr. Secretary, are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Amendment No. 3, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Amendment No. 3 to House Bill 4453, this is the annual conveyance bill. It's three more parcels: one from IDOT, one from the Illinois Historic Preservation and one from the Illinois Department of Natural Resources. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it. And the amendment is adopted. Any further Floor amendments approved?

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SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DUDYCZ)

3rd Reading. Middle of page 10, in the Order of House Bills 3rd Reading, is House Bill 4453. Mr. Secretary, read the bill, please.

SECRETARY HARRY:

House Bill 4453.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. As I indicated previously, this is the conveyance bill from the various agencies. There are fifteen -- a total of fifteen parcels. There is no objections to any of these individual parcels. It's agreed to and I would ask for your support.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? If not, the question is, shall House Bill 4453 pass. All those in favor will vote Aye. Opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 57 Ayes, no Nays, none voting Present. And House Bill 4453, having received the required constitutional majority, is hereby declared passed. Members will turn your attention to the middle of page 23, in the Order of Secretary's Desk, Concurrence on Senate Bills. We will be going to Senate Bill 2081. Mr. Secretary, read the -- read the motion, please.

SECRETARY HARRY:

I move to concur with the House in the adoption of their Amendments 1, 2 and 5 to Senate Bill 2081.

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The motion, by Senator Sullivan.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. If you're looking for good news to bring home to your constituents, this bill is it. This bill is supported by CUB and AARP. It extends the electric rate freeze that Senator Mahar so ably sponsored for us a couple of years ago. It extends it to -- all the way to January 1st, 2007, so you can brag about this back home for four and a half years. It's -- it will help us to not become like California. I thank Senators Mahar, Rauschenberger and Shaw for their advice and leadership on this. It's a great package for our constituents. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Is there any discussion? Senator Ronen.

SENATOR RONEN:

Thank you, Mr. President. I just -- I support this measure. As you say, it is good news. I just am concerned that it really could have been great news or better news, that we -- we missed the boat on -- on several things. There is clearly volatility in the -- in the market and this does bring some certainty that we all need. Wholesale prices are going down, as we all know. I would have hoped that we could have given another discount before we froze prices again, extending two more years. And I think we missed the opportunity. One of the things we hoped, when we passed a bill in 1997, was that competition would emerge. It -- it hasn't, and I think we should have taken some more time before we passed this bill to see why, in fact, that didn't happen and to specifically look at the fact of -- or, the issue of -- or, the possibility, I should say, of eliminating transition charges, if that would have made a difference. So, I -- I think that we lost

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that opportunity. We also lost the opportunity to take a closer look at the earnings cap, to see -- to make sure that it is realistic and that if -- if prices do continue to go down, as some people think they will, if the earning cap makes sense and consumers really will be able to avail themselves of a rebate. Having said all that, I appreciate, though, the work that you've done, Senator Sullivan, and I hope that next year maybe we can work together on some of these outstanding issues. Thank you.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Any further discussion? If not, Senator Sullivan, to close.

SENATOR SULLIVAN:

This is a -- last year we had a great pro-consumer telecommunications bill. This year we've got a great pro-consumer electric bill. I ask for an Aye vote.

PRESIDING OFFICER: (SENATOR DUDYCZ)

The question is, shall the Senate concur in House Amendments 1, 2 and 5 to Senate Bill 2081. All those in favor will vote Aye. Opposed will vote Nay. And the voting is open. Have all voted who wished? Have all voted who wished? Have all voted who wished? Take the record. On that question, there are 58 Ayes, no Nays, none voting Present. And the Senate does concur in House Amendments 1, 2 and 5 to Senate Bill 2081. And the bill, having received the required constitutional majority, is hereby declared passed. Resolutions.

SECRETARY HARRY:

Senate Resolution 448, offered by Senator Peterson.

It's a death resolution, Mr. President.

PRESIDING OFFICER: (SENATOR DUDYCZ)

Consent Calendar. Ladies and Gentlemen, the Chair would remind the Membership that the Senate photo will be retaken tomorrow morning, Thursday, at the hour of 10 a.m. 10 a.m. tomorrow morning, we will be retaking our photograph in the

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Senate, so please be prompt. Is there any further business to come before the Senate? If not, Senator Mahar moves the Senate stands adjourned until the hour of 10 a.m., Thursday, May 30th 2002.